

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. James Danjohn Bowden

Docket No. 5:16-CR-133-1BO

Petition for Action on Supervised Release

COMES NOW Keith W. Lawrence, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Danjohn Bowden, who, upon an earlier plea of guilty to Robbery of a Controlled Substance From a Pharmacy, in violation of 18 U.S.C. §§ 2118(a) and 2, was sentenced by the Honorable William L. Osteen, Jr., Chief U.S. District Judge, on September 17, 2013, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

James Danjohn Bowden was released from custody on July 7, 2015, at which time the term of supervised release commenced. On May 24, 2016, the jurisdiction in this case was transferred to the Eastern District of North Carolina. As a result of the defendant testing positive for marijuana on August 23, 2016, a Violation Report was forwarded to the court recommending continuing supervision to allow the defendant to participate in substance abuse treatment. As a result of the defendant testing positive for marijuana on October 5, 2016, the court modified the conditions of supervision to include 90 days of curfew.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On March 1, 2018, the defendant was charged with Obtain Property by False Pretense (18CR 50733), in Harnett County, North Carolina. The defendant notified his officer of this charge, but denied any guilt in the offense. In speaking with the arresting officer and the defendant, the alleged criminal charge was the result of the defendant purchasing a cell phone using \$500 in counterfeit currency. The arresting officer advised the counterfeit money was play money and was surprised the victim took the money. Bowden admits driving a friend to purchase the phone, but denies any wrong doing. It is worth noting, that when Bowden was stopped by law enforcement, he was cooperative, but the passenger ran from the officers and has not been detained. As a sanction for this conduct and in an effort to deter future criminal associations, we would respectfully recommend that his supervision be modified to include 60 days of home detention. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to their residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael Brittain
Michael Brittain
Supervising U.S. Probation Officer

/s/ Keith W. Lawrence
Keith W. Lawrence
Senior U.S. Probation Officer
150 Rowan Street, Suite 110
Fayetteville, NC 28301-4920
Phone: 910-354-2538
Executed On: March 5, 2018

ORDER OF THE COURT

Considered and ordered this 6 day of March, 2018, and ordered filed and
made a part of the records in the above case.

Terrance Boyle
Terrance W. Boyle
U.S. District Judge